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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/818,003	03/27/2001	Raymond F. Ratcliff III	40017660-0002	2031

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EXAMINER
SHIN, KYUNG H

ART UNIT	PAPER NUMBER
2143	

DATE MAILED: 04/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Advisory Action ***Before the Filing of an Appeal Brief***	09/818,003	RATCLIFF, RAYMOND F.
	Examiner	**Art Unit**	
	Kyung H. Shin	2143	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>20 March 2006</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

   a) ☒ The period for reply expires <u>3</u> months from the mailing date of the final rejection.

   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

   Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☒ The Notice of Appeal was filed on <u>02 December 2005</u>. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

   (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);

   (b) ☐ They raise the issue of new matter (see NOTE below);

   (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: _____.

   Claim(s) objected to: _____.

   Claim(s) rejected: <u>1-52</u>.

   Claim(s) withdrawn from consideration: _____.

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>See Continuation Sheet.</u>

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____

13. ☐ Other: _____.

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SUPERVISORY PATENT EXAMINER
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Continuation of 11. does NOT place the application in condition for allowance because:

1.1   The Eldridge (6,515,988) prior art and the applicant's invention perform analogous functions. Eldridge discloses identification information (i.e. Eldridge = identifiers, Applicant's invention = document data) transferred between systems until a determination is made to actually utilize a document (i.e. identified by the identification information) in order to print, fax, or copy (i.e. a printer cannot copy a document, a fax machine cannot copy a document, a computer type device such as a PDA or other handheld device can perform a copy operation of a document). The transfer of only identifiers and identification information is useless without the capability to actually access an actual document itself at some point in time. No invention would only transfer identifiers without ever accessing the actual documents themselves. Once a document has been identified, the document itself must be transferred between systems for processing. Eldridge disclose the actual transfer of a document between systems. (see Eldridge col. 5, lines 14-17: actual document accessed and transferred between systems for processing)

An argument of the applicant is that Eldridge does not transfer documents themselves and actually teaches away from the applicant invention's function of sending the entire set of data for a document through a communications path. This statement is incorrect. To the contrary, Eldridge discloses the transfer of an actual document between two systems. (see Eldridge col. 4, lines 14-17)

Another argument of the applicant is that Eldridge does not disclose a plurality of document. Eldridge discloses a plurality of documents and that each of the documents has reference information, designated token, stored in a memory. (see Eldridge col. 10, lines 25-27; col. 2, lines 10-11: plurality of documents, token utilized as document identification ; col. 9, lines 24-27: repository of documents) Neukermans discloses a generation, archival, and retrieval capability for documents (i.e. multiple of documents). Identification information of some type must be utilized in order to retrieve a document from a set of multiple documents (i.e. document archive). (see Neukermans col. 3, lines 51-56: document storage; col. 3, lines 62-66: document download for processing) Neukermans discloses the usage of an identifier. Eldridge and Neukermans combination and the applicant's invention disclose the usage of an identifier to retrieve a document.

Eldridge discloses sending a set of information (i.e. designated as a token), which is utilized to identify a document. The Applicant's "document data" is a subset of the entire set of data in a document. Based on claim 1, this particular "document data" is utilized to identify a document and is analogous to a Eldridge's document identifier, therefore, "document data" is utilized as a document identifier and is not the entire set of data within a document.

Eldridge discloses the capability to enable the usage of a document identifier (i.e. the aforementioned token), which is utilized to identify a particular document for processing. The concept of "document data" is analogous art for the Eldridge prior art designated as a token or a document identifier. (see Eldridge col. 2, lines 6-10: token utilized as a document identifier, transmitted between system for identification) In addition, the Applicant argues that a URL is utilized as the only identification for a document. A URL may be utilized to identify a document but is merely a part of the identification within a token.

Eldridge and Neukermans prior art combination does not disclose the replacement of the token concept. The combined teachings disclose the additional feature of adding "document data" to the token concept. In this configuration, "document data" is utilized as an additional parameter within the document identifier (i.e. a token). In addition, the Eldridge (6,515,988) prior art discloses that the configuration of the token is based on user access requirements. (see Eldridge col. 2, lines 10-11: information required for access)

Eldridge and Neukermans prior art combination discloses the capability to capture (i.e. extraction utilizing a scanner) a subset of actual data from a document, which is designated as "document data" and utilized within a token for transmission from a handheld device for document identification. (see Eldridge col. 2, lines 6-10: token utilized as a document identifier, transmitted between system for identification ; see Neukermans col. 3, lines 51-56; col. 3, lines 62-66: capture "document data") Eldridge and Neukermans disclose the capability to scan documents and the archival storage of documents. (see Neukermans col. 3, lines)

Eldridge and Neukermans prior art combination discloses the capability to store this "document data" within memory for processing into a document identifier (i.e. a token). (see Eldridge col. 2, lines 6-10: token utilized as a document identifier, transmitted between system for identification ; see Neukermans col. 3, lines 51-56; col. 3, lines 62-66: capture data from document utilizing scanning capabilities, subset of data from document)

Eldridge discloses a plurality of documents and that each of the documents has reference information, designated token, stored in a memory. (see Eldridge col. 10, lines 25-27; col. 2, lines 10-11: plurality of documents, token utilized as document identification ; col. 9, lines 24-27: repository of documents)

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